

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TAMEICIA PITTS, Minor.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
April 20, 2006

Petitioner-Appellee,

v

LAKEICIA PITTS,

No. 264748
Wayne Circuit Court
Family Division
LC No. 04-429534-NA

Respondent-Appellant,

and

ARDELL PITTS,

Respondent.

Before: Murphy, P.J., and O'Connell and Murray, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from an order terminating her parental rights to the minor child, Tameicia Pitts, pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We review a trial court's decision to terminate parental rights for clear error. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that petitioner established the existence of one or more statutory grounds for termination by clear and convincing evidence, the trial court must terminate the respondent's parental rights unless it determines that to do so is clearly not in the child's best interests. *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000).

The trial court did not err when it found the evidence clear and convincing to terminate respondent-appellant's parental rights to the minor child. The minor child came into care because respondent-appellant had abandoned the child and left her in the care of the child's father, respondent Ardell Pitts, respondent-appellant was incarcerated for stabbing Ardell Pitts multiple times in the minor child's presence, Ardell Pitts was hospitalized and had been living in a shelter, and respondents had made no plans for the minor child. Respondent-appellant was

provided with numerous services, including: individual counseling, particularly for impulse control, anger, and substance abuse; parenting classes; drug screens; and supervised visitation. In addition, the trial court provided respondents and the FIA worker with the telephone number of a preferred jobs-training program on the record.

Despite the provision of numerous services, at the time of the termination trial respondent had not learned to control her anger, was still using drugs, and did not have a safe place to live. Respondent-appellant's counselor testified that respondent-appellant was not focusing and addressing necessary issues. After the birth of another child, respondent-appellant missed all of her counseling sessions. Respondent-appellant was not cooperative with her probation officer and did not completely comply with the terms of her probation. Although she did receive anger management counseling as part of her probation, the counselor recommended additional counseling because it was felt that respondent-appellant did not learn anything from the program. There were reports of respondent-appellant threatening numerous individuals, including her caseworker, the caseworker's mother, and Ardell Pitts. Respondent-appellant was not consistent with the drug screens, had a diluted negative and two positive drug screens for marijuana, and then stopped giving drug screens altogether. Although she completed parenting classes, the caseworker did not see a change in her behavior. Respondent-appellant did not have a place to live at the time of the termination trial.

On appeal, respondent-appellant also raises the issue of the reasonableness of petitioner's efforts to reunite her with the child or of the services provided to her. However, the evidence clearly indicates that respondent-appellant was provided with many services and failed to follow through or take advantage of them.

Affirmed.

/s/ William B. Murphy
/s/ Peter D. O'Connell
/s/ Christopher M. Murray